

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figure 1. This sheet replaces the original sheet including Figure 1.

Attachment: Replacement Sheet

REMARKS

The drawings have been objected to due to informalities. The drawings (Fig. 1) have been amended to include descriptive text.

Claim 9 has been objected to due to informalities. Claim 9 has been amended accordingly.

Claim 3 has been rejected under 35 USC 112, second paragraph. Claim 3 has been amended to correct the noted antecedent basis problem.

Claims 1-13 have been rejected under 35 USC 102(e) as anticipated by Harnesk (US Pub. No. 2006/0008063). The rejection is respectfully traversed.

Harnesk discloses keeping a credit account for each user in a packet forwarding system. The credit is a monetary credit, not a budget in terms of usable resources. Based on the used resources, the credit to be deducted from the credit account is determined using a charging policy ("real time packet rating"). The policy classifies a packet as belonging to a certain service class and uses the calculated rating values for that packet. See, paragraph [0075] of Harnesk. In the claimed invention, on the other hand, an IP budget limits the total volume of the IP packets transmitted to and from a user, a plurality of IP packets and a plurality of data bytes in the IP packets, as recited in amended claim 1. Significantly, the control function initially has the entire IP budget, for example of a subscriber or of an IP address or a context available for distribution. Thus, the entire IP budget is available equally to all data streams of a subscriber or an IP address of the subscriber or a context of the subscriber. Depending on the volume of data transmitted in individual data streams, a corresponding proportion of the IP budget is determined by means of the data stream-specific weighting factor which is deducted directly from the IP budget. This feature is not disclosed in Harnesk.

In view of the above, Applicants submit that this application is in condition for allowance. An indication of the same is solicited.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing, referencing Attorney Docket No. 118744-129.

Respectfully submitted,

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Dated: October 9, 2008